

1 LYNNE C. HERMLE (STATE BAR NO. 99779)
1 lchermle@orrick.com
2 JOSEPH C. LIBURT (STATE BAR NO. 155507)
2 jliburt@orrick.com
3 ORRICK, HERRINGTON & SUTCLIFFE LLP
3 1000 Marsh Road
4 Menlo Park, CA 94025-1015
4 Telephone: +1 650 614 7400
5 Facsimile: +1 650 614 7401

6 KATE JUVINALL (STATE BAR NO. 315659)
6 kjuvinall@orrick.com
7 PAUL RODRIGUEZ (STATE BAR NO. 307139)
7 prodriguez@orrick.com
8 ORRICK, HERRINGTON & SUTCLIFFE LLP
8 355 S. Grand Ave., Suite 2700
9 Los Angeles, CA 90071
9 Telephone: +1 213 629 2020
10 Facsimile: +1 213 612 2499

11 Attorneys for Defendants
12 KIRKLAND & ELLIS LLP, MICHAEL DE VRIES,
12 MICHAEL W. DE VRIES, P.C., ADAM ALPER,
13 ADAM R. ALPER, P.C., AKSHAY DEORAS,
13 AKSHAY S. DEORAS, P.C., LESLIE SCHMIDT,
14 LESLIE M. SCHMIDT, P.C., AND MARK FAHEY

14
15 UNITED STATES DISTRICT COURT
16
17 NORTHERN DISTRICT OF CALIFORNIA

17 ZOYA KOVALENKO,

18 Plaintiff,

19 v.

20 KIRKLAND & ELLIS LLP, MICHAEL DE
20 VRIES, MICHAEL W. DEVRIES, P.C.,
21 ADAM ALPER, ADAM R. ALPER, P.C.,
21 AKSHAY DEORAS, AKSHAY S. DEORAS,
22 P.C., LESLIE SCHMIDT, LESLIE M.
22 SCHMIDT, P.C., AND MARK FAHEY,

23
24 Defendants.

Case No. 4:22-CV-05990-HSG

**DECLARATION OF WENDY
CARTLAND IN SUPPORT OF
DEFENDANTS' REQUEST FOR
JUDICIAL NOTICE**

Date: March 30, 2023
Time: 2:00 p.m.
Dept: 2
Judge: Hon. Haywood S. Gilliam

1 I, Wendy Cartland, declare as follows:

2 1. I have personal knowledge of the facts I state below, and if I were to be called as a
 3 witness, I could competently testify about what I have written in this declaration. I submit this
 4 declaration in support of Defendants Kirkland & Ellis LLP (the “Firm” or “Kirkland”), Michael De
 5 Vries, Michael W. De Vries, P.C., Adam Alper, Adam R. Alper, P.C., Akshay Deoras, Akshay S.
 6 Deoras, P.C., Leslie Schmidt, Leslie Schmidt, P.C., and Mark Fahey’s (collectively “Defendants”)
 7 Request for Judicial Notice in Support of All Defendants’ Motions to Dismiss Plaintiff’s
 8 Complaint.

9 2. I have been employed with Kirkland for almost 34 years, since 1989. All, except
 10 the first 2 years, have been in Human Resources (HR) positions. I am currently employed as the
 11 Senior Advisor-Human Resources, a position I have held since July of this year. I know the facts
 12 set forth in this declaration to be true of my own personal knowledge and/or my review of
 13 documents maintained and relied upon by the Firm in the regular course of business and to which
 14 I have access in the regular course of my job duties. If called as a witness, I could and would testify
 15 competently to the matters set forth in this declaration.

16 3. Attached as **Exhibit A** is a true and correct copy of Plaintiff Zoya Kovalenko’s
 17 (“Plaintiff”) 2021 Associate Review (“Performance Evaluation”). Exhibit A or the contents
 18 included therein are referred to in the Complaint at ¶¶11, 14, 16–19, 77, 82, 85, 88, 90, 94–95, 98,
 19 107, 115–16, 122, 126–27, 132, 138–40, 146–47, 153, 157–58, 164, 166, 169, 171, 173, 190,
 20 192–99.

21 4. Attached as **Exhibit B** is a true and correct copy of Plaintiff’s offer of employment
 22 from Kirkland (“Offer Letter”), dated September 23, 2020. Exhibit B or the contents included
 23 therein are referred to in the Complaint at ¶¶10, 61, 65–67.

24 5. Attached as **Exhibit C** is a true and correct copy of the severance agreement
 25 provided to Plaintiff by Kirkland (“Severance Agreement”). Exhibit C or the contents included
 26 therein are referred to in the Complaint at ¶¶16–18, 61.

27 6. Attached as **Exhibit D** are true and correct copies of Plaintiff’s 2020 and 2021 W-2
 28 Wage and Tax Statements and paystubs (“Payroll Documents”). Exhibit D or the contents included

therein are referred to in the Complaint at ¶¶16, 62.

7. Defendants have redacted from Exhibits A–D certain potentially private information pertaining to Plaintiff or third parties.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 15, 2022.

Wendy A Cartland

Wendy Cartland